

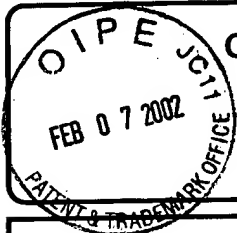
02-11-02

SEPA  
+ 2815

Please type a plus sign (+) inside this box → ☐

PTO/SB/29 (10/00)  
Approved for use through 10/31/2002. OMB 0857-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☒ DUPLICATE

15/100  
step 02  
3-8-02

Address to:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	42390P5769
	First Named Inventor	Gang Bai
	Examiner Name	Warren, M.
	Group / Art Unit	2815
	Express Mail Label No.	EL651824008US

This is request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/109,261,  
filed on June 30, 1998, entitled A MULTI-LAYER GATE DIELECTRIC.

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a cpa may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rul, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

☒ Enter the unentered amendment previously filed on October 15, 2001  
under 37 CFR 1.116 in the prior nonprovisional application.

- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 

- ☐ PTO-1449
  - ☐ Copies of IDS Citations

02/13/2002 GTEFFERA 00000025 09109261

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))  INDEPENDENT CLAIMS(37 CFR 1.16(b))  MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))  BASIC FEE (37-CFR-1.16)  Total of above Calculations =  Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27).  * Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.	TOTAL CLAIMS (37 CFR 1.16(c))	14 -20* =	0	x \$ 18.00 =	\$ 0.00
	INDEPENDENT CLAIMS(37 CFR 1.16(b))	2 -3** =	0	x \$ 84.00 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+\$ _____ =	
	BASIC FEE (37-CFR-1.16)				740.00
	Total of above Calculations =				740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27).				
	TOTAL =				740.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 02 - 2666:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 740.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months  
(not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: . . . REQUEST FOR ONE-MONTH EXTENSION OF TIME WITH CHECK IN THE AMOUNT . . .  
                  . . . OF \$110.00 . . .

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

#### 10. NEW CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label

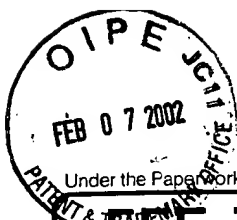


or ☐ Correspondence address below

ADDRESS	William Thomas Babbitt, Reg. No. 39,591				
	BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN				
	12400 Wilshire Boulevard, Seventh Floor				
CITY	Los Angeles	STATE	California	ZIP CODE	90025
COUNTRY	U.S.A.	TELEPHONE	(310) 207-3800	FAX	(310) 820-5988

#### 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	William Thomas Babbitt, Reg. No. 39,591
SIGNATURE	<i>William T. Babbitt</i>
DATE	February 6, 2002



PTO/SB/17 (10-01)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FREE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 850.00

## Complete if Known

Application Number	09/109,261
Filing Date	06/30/98
First Named Inventor	Gang Bai
Examiner Name	Warren, M.
Group Art Unit	2815
Attorney Docket Number	42390P5769

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit  
Account  
Number  
Deposit  
Account  
Name

02-2666

Blakely, Sokoloff, Taylor & Zafman

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

## FEE CALCULATION

### 1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	\$740
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

### 2. CLAIMS

Extra

Fee from  
below

Fee Paid

Total Claims	14	-20 =	0	X	18.00	=	\$0.00
Independent Claims	2	-3 =	0	X	84.00	=	\$0.00
Multiple Dependent Claims							

Large Entity Small Entity

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	Claims in excess of 20	
102	202	84	42	Independent claims in excess of 3	
104	204	280	140	Multiple Dependent claim	
109	209	84	42	Reissue independent claims over original patent	
110	210	18	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	
127	227	50	25	Surcharge - late provisional filing fee or cover sheet	
139	239	130	130	Non-English specification	
147	247	2,520	2,520	For filing a request for ex parte reexamination	
112	212	920	920	Requesting publication of SIR prior to Examiner action	
113	213	1,840	1,840	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for response within first month	110
116	216	400	200	Extension for response within second month	
117	217	920	460	Extension for response within third month	
118	218	1,440	720	Extension for response within fourth month	
128	228	1,960	980	Extension for response within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	238	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidably	
141	241	1,280	640	Petition to revive - unintentionally	
142	242	1,280	640	Utility issue fee (or reissue)	
143	243	460	230	Design issue fee	
144	244	620	310	Plant issue fee	
122	222	130	130	Petitions to the Commissioner	
123	223	50	50	Petitions related to provisional applications	
126	226	180	180	Submission of Information Disclosure Stmt	
581	281	40	40	Recording each patent assignment per property (times number of properties)	
146	246	740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	269	900	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (2) (\$) 110.00

## SUBMITTED BY

Complete (if applicable)

Typed or  
Printed Name

William Thomas Babbitt, Reg. No. 39,591

Reg. Number

Signature

*William T. Babbitt*

Date

02/06/02

Deposit Account  
User ID

02-2666

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.